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WALTER A. SAURACK
DIRECT DIAL: +1 212 404 8703
PERSONAL FAX: +1 212 818 9606
E-MAIL: WASaurack@duanemorris.com

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July 19, 2024

VIA ECF:

Honorable John P. Cronan
United States District Court
Southern District of New York
500 Pearl Street, Room 1320
New York, NY 10007

Re: Oppenheimer Co. Inc. v. Hub Cyber Security (Israel) Ltd. a/k/a Hub Cyber Security Ltd Case No. 23-cv-04909 – Order of Dismissal

Dear Judge Cronan:

This firm represents Plaintiff Oppenheimer & Co. Inc. (“Oppenheimer”). On June 11, 2024 the undersigned and counsel for Defendant Hub Cyber Security (Israel) Ltd. (“HUB”) filed a joint letter, pursuant to Section I.E. of the Individual Rules and Practices of the Honorable James L. Cott, informing this Court that the parties to this action had reached a settlement in principle and requesting a stay of all case deadlines that were in place at that time. [ECF No. 50]. The Court issued an order of dismissal (the “Order”) on June 12, 2024 without prejudice to the parties’ right to restore this action to the calendar, within forty-five (45) days of the Order, in the event a settlement was not completed and executed between the parties. [ECF No. 51].

Unfortunately, the parties have been unable to finalize a mutually acceptable settlement agreement. Accordingly, we respectfully request restoration of this case to the Court’s calendar and a conference to discuss a revised Case Management Plan and Scheduling Order.

Respectfully Submitted,

Walter A. Saurack

WAS